

A Student Guide To Understanding and Avoiding Harassment At School

Everyone Deserves Respect

This information is designed to remind everyone that “harassment” of any kind is against school rules. We believe that every student has the right to learn:

- Without being called names
- Without being threatened, harassed, intimidated, or bullied for any reason

Harassment

- Harassment is unwelcome and unwanted behavior both physical and verbal from other students or staff members that interferes with another individual's life or prevents them from learning.
- Harassment means "to tease, bother, or annoy someone."

Harassment or Bullying?

Bullying

- Unwanted behavior (comments, gestures, actions or attention)
- Cause harm, is repeated, and, usually involves an imbalance of power
- No federal law against bullying, CA state and school policy
- Addressed as misbehavior/school discipline

Harassment/Assault

- Unwanted behavior and/or physical contact that annoys, intimidates, threatens or causes fear
- Causes a hostile environment
- ILLEGAL and can be a form of discrimination
- Addressed as a crime by Dept. of Education, Dept. of Justice, and Office of Civil Rights

Targeted Groups

- Race
 - Religion
 - Gender
 - National Origin
- (Civil Rights Act of 1964 made the types above illegal)*
- Gender Identification
 - Ability or Disability
 - Sexual Orientation
 - Appearance
 - Others?

Discrimination Defined

Negative or unfair treatment toward an individual based on traits from targeted groups.

These actions which are offensive to targeted groups are prohibited for **both** students and staff:

- Vulgar letters, notes, posters, symbols or other writings
- Slurs or insults
- Spreading rumors about another person
- Vandalism or graffiti to personal or school property.
- Force, or threat of force - harassment or assault
- Bullying through action or intimidation, or hazing activities of any kind.

Discussion Point - 7th and 8th grade

Suppose a boy repeatedly tells a girl around other classmates that she has a great figure. While at first the girl is flattered, when he keeps talking about her figure publically, she becomes increasingly uncomfortable and tries to avoid him.

- Is this an example of sexual harassment or positive attention?
- In our culture, do you think it is easy to confuse the two?

Answers-7th and 8th Grade

- This *is* an example of sexual harassment. Even though the comments may not be offensive to every person, they become offensive to the girl. Therefore, the boy is creating a "hostile environment." A hostile environment is when a person makes a situation very difficult for someone else to concentrate, study, and ultimately make good grades. If the girl really thought the comments were fun and played along, the situation would not be considered sexual harassment
- Because everyone's comfort level and boundaries are different, it's easy to write off actions that qualify as harassment as "jokes" or "positive attention." Unfortunately, many environments tolerate comments of a sexual nature as "compliments". This shows both insensitivity to taking people's feelings seriously and certain attitude about girls or others who complain (e.g. "It's not the boys' fault she can't take a compliment").

Sexual Harassment

When behavior is sexual in nature, and the focus is on things like a person's appearance, body parts, sexual orientation, or sexual activity, it is "sexual harassment."

It's against the rules for students to make mean remarks that embarrass others or make them feel uncomfortable with actions or statements that are sexual in nature.

Sexual Assault

When behavior is deliberate and sexual in nature and results in unwanted touching of another person's private parts is "sexual assault."

- Any forced physical actions such as: (touches, grabs, pinches to private parts) of a sexual nature that are deliberate and unwelcome.

Remember one basic rule - it is probably sexual harassment if the person feels uncomfortable or threatened.

It doesn't matter what the harasser intended.

Actions which make a student feel uncomfortable or threatened are prohibited for **both** students and staff:

- Inappropriate staring, gestures, or touches (hugs, *grabs, pinches*) of a sexual nature that are deliberate and unwelcome.
- Any forced actions such as pulling clothes down, blocking, purposely bumping into someone, or cornering someone in a sexual way
- Obscene comments, name calling, suggestions, sexual stories, sexual jokes, or rumors, notes, letters, whistles, or rude noises.

Actions which make a student feel uncomfortable or threatened are prohibited for **both** students and staff:

E-harassment: Posting photos or sexual comments that are harassing in nature via social media, emails, IM, or text messages

- Sexting: the act of sending or receiving sexually explicit messages, videos or photos.

Courts are now recognizing **sexually** explicit text messages, social network messages, and emails as forms of what is now being called “textual” **harassment**

Discussion Point

What is the difference between flirting and harassment?



Flirting vs. Sexual Harassment

Flirting

- Receiver feels
 - Happy
 - Flattered
 - In control
 - Attractive
 - Important
- Actions are
 - Mutual
 - Flattering
 - A compliment
 - Uplifting
 - Motivated by caring
 - Legal

Sexual Harassment

- **Victim feels**
 - Angry
 - Sad
 - Powerless
 - Ugly
 - Unimportant
- **Actions are**
 - One-sided
 - Humiliating
 - A criticism
 - Attacking
 - Undesired
 - Motivated by power
 - illegal

What is Consent?

- Consent is clear, knowing and voluntary agreement to engage in interaction/contact (in this way at this time).
 - Active, not passive (the person WANTS to and is CAPABLE of giving consent)
 - **Does not** obligate you to consent to any other behaviors.
 - Consenting on one occasion also does not obligate you to consent on any other occasion.
- Consenting means only that at this particular time, you would like to engage in this particular behavior.

There is no consent in sexual harassment/assault.

Discussion Point

- Do you think there is a relationship between self-esteem and sexual harassment? Why?
- Do you think people with low self-esteem would be more likely to be the harasser, the victim, or both?

Answers/Responses

- Self esteem and feelings of insecurity are connected to sexual harassment: Middle school students are often motivated to be accepted, belong and fit in--having low self-confidence make make a student both more likely to follow along with seeking attention in negative ways and less likely to speak up when uncomfortable.
- Both harassers and victims may struggle with low self-esteem.
For victims, low self esteem can contribute to tolerating situations or interactions that are not healthy.
For harassers, some students may justify harassment as participating in “jokes” or “being playful” with friends. Low self esteem can contribute to being mean-spirited and insensitive to others' feelings.

SEXUAL HARASSMENT FACTS

- FACT: Sexual harassment doesn't just happen to girls. Boys can harass girls, but girls also can harass guys, guys may harass other guys, and girls may harass other girls. Sexual harassment isn't limited to people of the same age, either. But most of the time, when sexual harassment happens to teens, it's being done by people in the same age group.
- 40% percent of the students who reported being a victim to sexual harassment responded by being absent from school or skipping classes (Pellegrini, 2002).

According to a Washington Post study from the 2010-2011 school year,

- 18 % of both girls and boys reported being called gay or lesbian in a negative way
- 33 % of girls, and 24 % of boys, reported witnessing sexual harassment at school (18 percent of students). And 56 % reported witnessing it more than once during the year.
- 44 % of students who admitted to sexually harassing said it wasn't a big deal, and 39 % said they were trying to be funny.
- 27 % of students said they talked about it with parents or family members, including siblings. Girls were far more likely to talk with parents and other family members than boys, 32 percent versus 20 percent.
- 22% of girls and 14 % of boys said that sexual harassment had caused trouble sleeping
- 37 % of girls and 25 % of boys said sexual harassment had caused them to want to stay home
- Only 9 % of the students — 12 percent of girls and 5 percent of boys — who were victims of harassment reported it to a teacher, counselor or other adult at school

Discussion Point

Imagine a friend confides in you that he or she has been a victim of sexual harassment/assault.

What would you say to your friend? What would you tell your friend to do about it?

Steps to take if it happens to you:

1. **Tell the harasser to stop:** you have the right to ask the person to stop what they are doing.

*NOTE: If someone asks you to stop, you have the **responsibility** to stop what you were doing, even if you don't think you were doing anything wrong.*

Steps to take if it happens to you:

2. Tell someone you trust such as a parent, teacher, school counselor, principal or any other school employee.

Fear of retaliation is the leading reason why people stay silent instead of voicing their concerns--you may fear someone getting even with you or being seen as a trouble maker.

Know that you are protected by law and retaliation of any kind will not be tolerated.

Your teachers, counselors, and school administration will support you and investigate your concern quickly.

Steps to take if it happens to you:

- 3. Write down what happened.** Be specific and include when it happened and anyone who saw it. Save any evidence such as an e-mail or note!
- 4. An investigation will be done** in a sensitive manner to protect students from retaliation. The investigator will collaborate with you, your parents and any other involved parties and walk you through the steps of addressing the situation, seek resolution and support your comfort with the process.

School's Duty to Act

- **Sexual harassment of students is illegal under Federal Law.**

A federal law, *Title IX of the Education Amendments of 1972 (Title IX)*, prohibits discrimination on the basis of sex, including sexual harassment, in education programs and activities. ***No one can claim a student's grade or position in any school activity or any school award depends on willingness or unwillingness to submit to sexual activity.*** Education institutions that receive any federal funds *must* comply with *Title IX*. *Title IX* protects students from harassment connected to any of the academic, educational, extracurricular, athletic, and other programs or activities of schools, *regardless of the location*. *Title IX* protects both male and female students from sexual harassment by any school employee, another student, or a non-employee third party.

- **Each school has a responsibility to provide a safe and nondiscriminatory environment for all students.**

If a student, his or her parent, or an employee reports the harassment, or a school employee observes the harassment, the school will inform the harassed student (and the student's parent depending on the student's age) of the options for formal and informal action and of the school's responsibilities, which are discussed below. **Regardless of whether the victim files a formal complaint or requests action, the school must conduct a prompt, impartial, and thorough investigation to determine what happened and must take appropriate steps to resolve the situation.**

School's Duty to Act

If a student requests confidentiality...

The school should take all reasonable steps to both investigate and respond to the complaint and the request for confidentiality from a student. However, the school also must consider its responsibility to provide a safe and nondiscriminatory environment for all students. Thus, this duty to provide all students with a safe environment may require that incidents be reported to police and local authorities and outweigh a request for confidentiality.

Steps to take if you witness harassment

FACTS ABOUT BYSTANDERS

- Being a bystander to harassment at school is common (**almost 9 out of 10 students report witnessing harassment or bullying**)
- Bystanders know actions they witness are destructive, but **only intervene 20% of the time.**
- Bystanders may choose to do nothing because they:
 - Are afraid they will also be harassed
 - Don't want to be a 'tattletale.'
 - Are caught up in **The Bystander Effect**: When there is an audience to an incident, bystanders often don't think it is any of their business, and think someone else will step in and help.
 - Don't know what to do to help.
 - Don't think they would be effective in helping the situation
- Bystanders who choose to act make a difference:
 - **More than half of harassing situations (57%) stop when a peer intervenes on behalf of the student being harassed (Hawkins, Pepler, & Craig, 2001).**

Steps to take if you witness harassment

BE AN **UPSTANDER**: a person who takes action particularly when the easiest or most acceptable course is to do nothing

- **Speak up:** while it isn't easy, you can speak up during the harassment. You can say that a teacher is coming (even if it's just a distraction), ask the person who is engaging in the behavior to stop or encourage the people around you to leave with you.
- **Provide an escape:** approach the person who is experiencing the harassment and ask them if they're OK. You can also invite them to leave with you.
- **Speak to the person:** if it's safe, you can speak to those engaging in harassment in private. Let them know that it's not OK.
- **Tell someone:** let a teacher, administrator or other safe adult know about what's going on. If you are not comfortable being identified, you can always make an anonymous report on the school's ***CONCERNED PERSON REPORTING FORM*** found on your Counseling page in Powerschool
- **Provide support:** after the situation is over, make sure the person who is experiencing the harassing actions is OK by asking them how they're doing or reminding them they have people who care.

Potential Future Us: Video (24 minutes)

<https://www.hrmvideo.com/catalog/confronting-sexual-harassment-in-school>

(NOTE:: we may purchase this and use certain parts - we will need to review it again)